

Notice of Allowability

Application No.

10/758,070

Examiner

Fred Ferris

Applicant(s)

LEE ET AL.

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 29 June 2007.
2. ☒ The allowed claim(s) is/are 1,3-5,10-14,16,17,19 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20070716.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


FRED FERRIS
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

1. *A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 30 April 2007 has been entered. Applicants have now cancelled claims 2, 6-9, 15, and 18. Claims 1, 3-5, 10-14, 16, 17, 19 and 20 remain pending in this application and have now been allowed over the prior art of record.*

Response to Arguments

2. *Applicant's arguments filed 30 April 2007 have been fully considered and found to be persuasive. The previous 102/103 rejections are hereby withdrawn in view of applicants' amendment to the claims and supporting arguments filed 30 April 2007.*

EXAMINER'S AMENDMENT

3. *An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. The amendment is made to correct obvious typographical and grammatical errors not affecting the scope of the claims.*

Art Unit: 2128

Amend the claims as follows:

*In line 5 of claim 1 change the word "including" to the word **includes**.*

Line 5 of claim 1 should now read:

*"operational description **includes** a plurality of parameters of the..."*

*In line 7 of claim 1 insert the word **and** before the word "the".*

Line 7 of claim 1 should now read:

*"development device, **and** the...."*

*In line 8 of claim 12 change the word "including" to the word **includes**.*

Line 8 of claim 12 should now read:

*"operational description **includes** a plurality of parameters of the..."*

*In line 11 of claim 12 insert the word **and** before the word "the".*

Line 11 of claim 12 should now read:

*", **and** the plurality of parameters being arranged...."*

*In line 8 of claim 20 change the word "including" to the word **includes**.*

Line 8 of claim 20 should now read:

*"...wherein the operational description **includes** a plurality of parameters..."*

*In line 10 of claim 20 insert the word **and** before the word "the".*

Line 10 of claim 20 should now read:

"...development device, **and** the plurality of parameters...."

Allowable Subject Matter

4. Claims 1, 3-5, 10-14, 16, 17, 19 and 20 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Applicants are disclosing a computerized method and system for testing a development device by extracting device parameters from a product specification, storing the parameters in a testing data file, inputting the test file into a test bench (external to the device under test (DUT)) coupled to device, and subsequently testing the device. This has been disclosed in the prior art of record.

While these elements are individually disclosed in the prior art, the prior art of record does not meet the conditions as suggested in MPEP section 2132, namely:

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an **ipsissimis verbis** test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)."

In particular, the prior art of record does not disclose the specific sequence of method steps or arrangement of system elements that includes receiving a product specification for the development device, the product specification including an operational description, a plurality of I/O requirements, a plurality of performance

parameters, a plurality of physical aspects, in combination with the operational description including a plurality of parameters of the development device including one or more parameters for at least one register in the development device the plurality of parameters being arranged in a predetermined first order includes arranging the one or more parameters for the at least one register in a table, the table including a header, the header including a register name, a register offset and a register type and wherein the table includes a row for each of a plurality of bits in the register and wherein each row includes a bitname and descriptive data field for each bit in the register, wherein the descriptive data field includes a bit type and one or more reset values; and subsequently extracting the plurality of parameters of the development device from the product specification, as now required by independent claims 1, 12, and 20.

The closest prior art uncovered during examination teaches certain limitations of the claimed invention as follows:

- U.S. Patent 7,103,860 issued to Price: teaches system for testing a development device by extracting device parameters from a product specification, storing the parameters in a testing data file, inputting the test file into a test bench (DUT) coupled to the device, and subsequently testing the device. However, Price does not explicitly disclose the additional combination of features where the operational description including a plurality of parameters of the development device including one or more parameters for at least one register in the development device the plurality of parameters being arranged in a predetermined first order includes arranging the one or more parameters for the at least one register in a table, the table including a header, the

header including a register name, a register offset and a register type and wherein the table includes a row for each of a plurality of bits in the register and wherein each row includes a bitname and descriptive data field for each bit in the register, wherein the descriptive data field includes a bit type and one or more reset values; and subsequently extracting the plurality of parameters of the development device from the product specification, as now required by independent claims 1, 12, and 20.

The features noted above render the claimed invention non-obvious over the prior art of record. Dependent claims are deemed allowable as depending directly or indirectly from independent claims 1, 12, and 20 respectively.

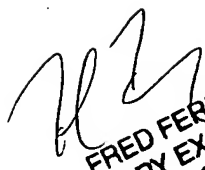
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. *Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Ferris whose telephone number is 571-272-3778 and whose normal working hours are 8:30am to 5:00pm Monday to Friday. Any inquiry of a general nature relating to the status of this application should be directed to the group receptionist whose telephone number is 571-272-3700. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached at 571-272-2279. The Official Fax Number is: (571) 273 8300.*

Art Unit: 2128

Fred Ferris, Primary Examiner
Simulation and Emulation, Art Unit 2128
U.S. Patent and Trademark Office
Randolph Building, Room 5D19
401 Dulany Street
Alexandria, VA 22313
Phone: (571-272-3778)
Fred.Ferris@uspto.gov
July 16, 2007


FRED FERRIS
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100